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Naoki Tanaka

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EXAMINER

RIEGLER, PATRICK F

ART UNIT

PAPER NUMBER

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NOTIFICATION DATE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/585,846	Applicant(s) TANAKA ET AL.	
	Examiner PATRICK RIEGLER	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1,3,5-15,17 and 18 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1,3,5-15,17 and 18 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This communication is in response to Application No. 10/585,846 filed 07/12/2006. The Request for Continued Examination and Amendment presented on 10/07/2010 which provides change to claims 1, 7, 15, and 17 is hereby acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 3, 5-15, 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1 and 17, there is an unclear distinction between the displayed *types*. Line 7 recites “*display a type*” and line 21 recites “*display a type*” and the *type* corresponds at least indirectly to both images and pages, however, the claim language does not appear to yield a graphical distinction between the types displayed. Rather, language that explicitly indicates the display at line 21 is a second separate display of the type would distinct the two “*display a type*”.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 3, 5-15, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anthony et al. (US 2005/0091596 A1, hereinafter referred to as "Anthony"), in view of Gemmell et al. (US 7,334,195 B2, hereinafter referred to as "Gemmell"), and further in view of Hayakawa (US 6,741,268 B1).

Regarding claim 1, Anthony teaches an image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types, the image file list display device comprising:

a scaled-down image display unit operable to display each of the plurality of image files as a scaled-down image which is an image scaled down from an image indicated by each image file. More specifically, a three-dimensional (3D) view of a data collection based on an attribute is disclosed (Anthony, abstract). A thumbnail typically refers to a representation of the contents of a file encapsulated in an icon or other image of a size smaller than the original image size that is displayed in a file listing environment (Anthony, [0006]).

a classification type display unit operable to display a type to which an image file belongs, the image file corresponding to a scaled-down image displayed by said scaled-down image display unit. More specifically, each non-focal group is divided into columns, and may be sorted by the ordering attribute specified for the view. Each of the non-focal groups has a non-focal group header (608a and 608b respectively) that provides information of the group's contents in a manner similar to the focal group header 602 discussed above (Anthony, [0067], Fig. 6, item 608).

wherein said scaled-down image display unit is operable to position and display a scaled-down image corresponding to an image file that belongs to a targeted type on a targeted page. More specifically, the ordering attribute may be based on time, thus arranging the items chronologically, e.g., by using a date of creation or date of edit attribute as the ordering attribute. Items may be grouped in chronological order in a logical timeline in such a way as to allow a user to easily navigate and locate items. The items may then be presented to the user in a way that reflects this timeline. Such a presentation to the user is herein referred to herein as a "dynamic timeline view." An illustrative embodiment of a dynamic timeline view is shown in FIG. 4 (Anthony, [0042]).

and to position and display a scaled-down image corresponding to another image file that belongs to the targeted type or a scaled-down image corresponding to an image file that belongs to another type adjacent to the targeted type, on an untargeted page having a smaller display area than the targeted page. More specifically, when a group is not at the focal point (i.e. is not the focal group), it is a non-focal group. Generally, a non-focal group will have certain properties associated with it. For example, in an embodiment where the view is presented with a 3D effect, the non-focal groups will be presented in such a way as to highlight the three dimensions (Anthony, [0065]).

Anthony further discloses referring again to FIG. 6, four non-focal groups may be observed--two on each side of focal group 509. It may be observed that the top portion of each group is in alignment with the others. Each non-focal group is divided into columns, and may be sorted by the ordering attribute

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specified for the view. There are two non-focal groups 610a and 610b that are located one interval from the focal group 509 (Anthony, [0067], Fig. 6, item 608).

However, Anthony may not explicitly teach every aspect of

said classification type display unit is operable to display in alignment the type to which the image file corresponding to the scaled-down image displayed on the targeted page belongs and the type to which the image file corresponding to the scaled-down image displayed on the untargeted page belongs, the alignment corresponding to a location of the targeted page and a location of the untargeted page on the screen; and

said classification type display unit is operable to display a type corresponding to pages in an area having a size corresponding to a number of the pages in the case where scaled-down images corresponding to image files belonging to a same type are positioned on a plurality of pages.

Gemmell discloses a user interface system and process for graphically displaying the results of a standard search (Gemmell et al., abstract).

In one implementation: the cluster slider and/or guide is an optional feature of the cluster format window that allows the user to scroll through the search results displayed in the aforementioned list sector, similar to the scrolling described earlier, but with an added guide pane. The size of the guide pane 508 dictates how much of the displayed search results 504 are highlighted in the list sector 506 (Gemmell col 13, line 49 – col 14, line 39, Figure 5). Another implementation: in the example window 600 shown in FIG. 6, the graphic data presentation sector 604 has a horizontal orientation rather than vertical. It is

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noted that each cluster subdivisions 602 (i.e., the visually distinguished regions in graphic data presentation sector representing the previously computed clusters of the search results) is expanded as needed to accommodate the width of the part of the pseudo histogram map 606 representing those search result items within the cluster (Gemmell col 14, line 50 – col 15, line 51, Figure 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of Anthony and Gemmell that an image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types would include said classification type display unit is operable to display in alignment the type to which the image file corresponding to the scaled-down image displayed on the targeted page belongs and the type to which the image file corresponding to the scaled-down image displayed on the untargeted page belongs, the alignment corresponding to a location of the targeted page and a location of the untargeted page on the screen; and said classification type display unit is operable to display a type corresponding to pages in an area having a size corresponding to a number of the pages in the case where scaled-down images corresponding to image files belonging to a same type are positioned on a plurality of pages, would be readily apparent. With Gemmell disclosing navigation controls that is show items classified by different attributes in areas on said controls with the widths of the classification areas governed by the amount of items, one of ordinary skill in the art of implementing an image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types would

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include said classification type display unit is operable to display in alignment the type to which the image file corresponding to the scaled-down image displayed on the targeted page belongs and the type to which the image file corresponding to the scaled-down image displayed on the untargeted page belongs, the alignment corresponding to a location of the targeted page and a location of the untargeted page on the screen; and said classification type display unit is operable to display a type corresponding to pages in an area having a size corresponding to a number of the pages in the case where scaled-down images corresponding to image files belonging to a same type are positioned on a plurality of pages in order to speed up scrolling through the displayed items by using a visual classification. One would therefore be motivated to combine these teachings as in doing so would create this image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types.

However, Anthony and Gemmel may not explicitly teach every aspect of the image file list display device further comprises a display area calculating unit operable to obtain the number of the pages and calculate the size in proportion to the obtained number of pages, and said classification type display unit is operable to display the type corresponding to the pages in the area of the size calculates by said display area calculating unit.

Hayakawa discloses user interface for viewing information of metaphors that typically contain pages (Hayakawa, abstract). A “tag” defines a page and

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“class” can be equivalent to the claimed *type*. Navigation area 7 is used to bring selected pages to focus. Figure 10 depicts the class areas (i.e. item 21) to span the exact number of pages classified in each class, therefore, the display of the class (or type) corresponds to the number of tabs (or pages). Figure 9 describes the process of displaying a class (or type) by iteratively looking at the class (or type) for each tab (Hayakawa, col 11, line 56 – col 12, line 33), thus, the display size of the class (or type) depends on the number of tabs (or pages).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of Anthony and Gemmell with Hayakawa that an image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types and displayed in pages would include the image file list display device further comprises a display area calculating unit operable to obtain the number of the pages and calculate the size in proportion to the obtained number of pages, and said classification type display unit is operable to display the type corresponding to the pages in the area of the size calculates by said display area calculating unit, would be readily apparent. With at least Anthony and Hayakawa disclosing the displaying of pages of data and with Hayakawa disclosing displaying pages of data on an interface and a navigation area with classes or types that each page belongs to with the width of each class or type exactly corresponding to the number of pages in said category, one of ordinary skill in the art of implementing an image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types and displayed in pages would include the

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image file list display device further comprises a display area calculating unit operable to obtain the number of the pages and calculate the size in proportion to the obtained number of pages, and said classification type display unit is operable to display the type corresponding to the pages in the area of the size calculates by said display area calculating unit in order to accurately depict the amount of images or data within each type as well as assisting navigation. One would therefore be motivated to combine these teachings as in doing so would create this image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types.

Regarding claim 3, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 1, wherein said scaled-down image display unit is operable to display the targeted page and the untargeted page in a row so that the type to which the image file corresponding to the scaled-down image positioned on each page belongs is aligned in an order of the series of different types (Anthony, [0067], Fig. 6, 8a, and 8b; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 5 Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 3, wherein said scaled-down image display unit is operable to gradually condense and display the untargeted page according to a distance between the type corresponding to the target page and the type

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corresponding to the untargeted page in alignment of the series of different types (Anthony, Fig. 4, 6, 8a, 8b, 12a and 12b).

Regarding claim 6, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 3, wherein said classification type display unit is further operable to display a targeted page index explicitly indicating a type corresponding to the targeted page from among the types displayed (Anthony, Fig. 13 and 14; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 7, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 6, further comprising a deciding unit operable to acquire a point designated on the screen and decide whether the acquired point belongs to the untargeted page or not, wherein said scaled-down image display unit is operable to update the targeted page with an untargeted page when said deciding unit decides the point belongs to the untargeted page, change the current targeted page to an untargeted page, and display the untargeted page, and said classification type display unit is operable, when a new targeted page is displayed by said scaled-down image display unit, to update the targeted page index so as to correspond to the new targeted page, and display the updated targeted page index (Anthony, [0059]-[0060], [0079]; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

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Regarding claim 8, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 7, wherein said scaled-down image display unit and said classification type display unit are operable to display a process related to the update with a moving image (Anthony, [0059]-[0060]; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 9, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 6, wherein said classification type display unit is operable to align the types corresponding to the targeted page and the untargeted page in a row, and display the types, said image file list display device further comprises a slider display unit operable to display a slider image having a tab, which moves in parallel with the alignment of the types according to a user's operation, and wherein, in the case where the tab of the slider image is moved, said scaled-down image display unit is operable to update and display the targeted page so that the tab after being moved designates a type of the targeted page (Anthony, [0081]; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 10, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 9, wherein said scaled-down image display unit is operable to display a process related to the update with a moving image (Anthony, [0059]-[0060], [0081]; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 11, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 5, wherein said scaled-down image display unit is operable to display, in the targeted page and the untargeted page, information indicating attribute information of each scaled-down image, and to display the information indicating attribute information even when the untargeted page is condensed and displayed (Anthony, Fig. 4, 6, 8a, 8b, 12a and 12b; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 12, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 3, wherein, in the case where scaled-down images corresponding to image files belonging to a same type are positioned on a plurality of pages, said scaled-down image display unit is operable to display a header indicating the type on a first page of the plurality of pages (Anthony, [0067], Fig. 4, 6, 8a, 8b, 12a and 12b; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 13, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 1, wherein said scaled-down image display unit is operable to position, in virtual three-dimensional space, the targeted page and the untargeted page where the scaled-down images are positioned, and to display a projection view acquired when the targeted page and the untargeted page are viewed from a certain view point (Anthony, Fig. 4, 5, 6, 8a, 8b, 10a,

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10b, 10c, 11, 12a and 12b; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 14, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 13, wherein said scaled-down image display unit is operable to position the targeted page and the untargeted page in virtual three-dimensional space so that the targeted page is in parallel with the screen and the untargeted page diagonally intersects the screen (Anthony, Fig. 4, 5, 6, 8a, 8b, 10a, 10b, 10c, 11, 12a and 12b; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 15, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 14, wherein said scaled-down image display unit is operable to position untargeted pages in virtual three-dimensional space in a way that an untargeted page closer to a targeted page among the untargeted pages comes closer to being in parallel with the screen (Anthony, Fig. 4, 5, 6, 8a, 8b, 10a, 10b, 10c, 11, 12a and 12b; Gemmell et al., col 13, line 49 – col 15, line 50, Figures 5 and 6).

Regarding claim 17, this claim states the steps of the method performed by the image file list display device of claim 1, thus the same rationale of rejection is applicable.

Regarding claim 18, this claim states a program stored on a non-transitory computer-readable recording medium for an image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types, the program causing a computer to execute the step included in the image file list display method according to claim 17, thus the same rationale of rejection is applicable.

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anthony and Gemmell with Hayakawa as applied to claim 1 above, and further in view of Moore et al. (US 7,409,644 B2, hereinafter referred to as "Moore").

Regarding claim 16, Anthony and Gemmell with Hayakawa teach the image file list display device according to claim 1, however may not explicitly teach

an image display device that displays an image indicated by an image file selected from a plurality of image files classified by a series of plural types, said image display device comprising:

a selection instruction acquiring unit operable to acquire a selection instruction of a user for a scaled-down image displayed by said image file list display device; and

an image display unit operable to display an image indicated by an image file corresponding to the selected scaled-down image.

Moore discloses a file system shell is provided. One aspect of the shell provides virtual folders which expose regular files and folders to users in different

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views based on their metadata instead of the actual physical underlying file system structure on the disk (Moore, abstract). A user can select any one of the thumbnail images, which will cause a larger preview image of the user thumbnail selection image to be displayed within the preview control area (Moore, col 38, line 61-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of Anthony, Gemmell, and Hayakawa with Moore that a device for displaying reduced scaled images based upon different attributes or types of classifications would include the function of selecting the scaled images in order to display a full sized image, would be readily apparent. With both Anthony and Gemmell disclosing organizing items based on different attributes and with Moore further disclosing actual selection of a thumbnail to view a larger version, one of ordinary skill in the art of implementing a a device for displaying reduced scaled images based upon different attributes or types of classifications would include the function of selecting the scaled images in order to display a full sized image in order to function like a typical file shell browser. One would therefor be motivated to combine these teachings as in doing so would create this a device for displaying reduced scaled images based upon different attributes or types of classifications

Response to Arguments

7. Applicant's arguments with respect to claims 1 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK RIEGLER whose telephone number is (571)270-3625. The examiner can normally be reached on Mon-Fri, 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571)272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick F Riegler/
Examiner, Art Unit 2173

